

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

PERSONAL COMMUNICATIONS
DEVICES, LLC, *et al.*,

Debtors.

THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS on behalf of the
estates of PERSONAL COMMUNICATIONS
DEVICES, LLC, and PERSONAL
COMMUNICATIONS DEVICES
HOLDINGS, LLC,

Plaintiffs,

v.

PINEBRIDGE VANTAGE CAPITAL, L.P.,
THE INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA,
PINEBRIDGE CO-INVESTMENT AIV
FUND, L.P., VANTAGE STAR
INVESTMENT CORP., PINEBRIDGE
PLAN STAR INVESTMENT CORP.,
PINEBRIDGE PEP IV CO-INVESTMENT,
L.P., PINEBRIDGE PEP V
CO-INVESTMENT, L.P., DLJ
INVESTMENT PARTNERS III, L.P., DLJ
INVESTMENT PARTNERS, L.P., and IP
III PLAN INVESTOR, L.P.,

Defendants.

Chapter 11

Case No. 13-74303 (AST)

(Jointly Administered)

Adv. Pro. No. 13-08174 (AST)

**STIPULATION AND AGREED ORDER SETTING DEADLINES FOR AMENDED
COMPLAINT AND MOTIONS TO DISMISS AMENDED COMPLAINT**

All parties hereto, including Plaintiff The Official Committee of Unsecured Creditors on
behalf of the estates of Personal Communications Devices, LLC and Personal Communications
Devices Holdings, LLC (“*Committee*”), Defendants PineBridge Vantage Capital, L.P.;

PineBridge Co-Investment AIV Fund, L.P.; Vantage Star Investment Corp.; PineBridge Plan Star Investment Corp.; PineBridge PEP IV Co-Investment, L.P.; PineBridge PEP V Co-Investment, L.P. (the “**PineBridge Defendants**”), The Insurance Company of the State of Pennsylvania (“**ISOP**”), and Defendants DLJ Investment Partners III, L.P.; DLJ Investment Partners, L.P.; and IP III Plan Investor, L.P. (the “**DLJ Defendants**,” and with the PineBridge Defendants and ISOP, the “**Defendants**”) (the Committee, PineBridge Defendants, ISOP, and DLJ Defendants referred to collectively as the “**Parties**”) hereby stipulate and request entry of an order (the “**Order**”) as follows:

1. The Committee shall file any amended complaint under Federal Rule of Civil Procedure 15(a)(1), made applicable hereto by Federal Rule of Bankruptcy Procedure 7015, as to any of the Defendants (“**Amended Complaint**”) no later than January 24, 2014.
2. If the Committee files an Amended Complaint on or before January 24, 2014, the Defendants may file a motion or motions to dismiss the Amended Complaint under Federal Rule of Civil Procedure 12 (“**Motions to Dismiss the Amended Complaint**”), made applicable hereto by Federal Rule of Bankruptcy Procedure 7012, on or before February 21, 2014.
3. The Committee may respond to any Motions to Dismiss the Amended Complaint on or before March 21, 2014, and Defendants may file a reply or replies to any such response on or before April 4, 2014.
4. No surreply to a motion under Federal Rule of Civil Procedure 12 shall be allowed in this case without further approval of the presiding Court.
5. The deadline for ISOP to file its response to the Summons and Complaint in this case is unchanged, and remains January 15, 2014 (*see* Dkt. Entry No. 7).

6. Nothing herein shall be deemed submission to the jurisdiction of this Court or a waiver of any right to seek and/or obtain withdrawal of the reference of this case to the United States Bankruptcy Court.

/s/ Mark A. Salzberg

Mark A. Salzberg

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*ATTORNEYS FOR THE INSURANCE
COMPANY OF THE STATE OF
PENNSYLVANIA*

SO ORDERED

Dated: January 14, 2014
Central Islip, New York




Alan S. Trust
United States Bankruptcy Judge